



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: November 05, 2019.

**CRAIG A. GARGOTTA
UNITED STATES BANKRUPTCY JUDGE**

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE:

CHAPTER 13 PROCEEDING

ERICK STEPHAN CLARK,

DEBTOR

CASE NO.: 19-51489CAG

ORDER DENYING CONFIRMATION AND DISMISSAL OF CHAPTER 13 CASE

ON THIS DAY OCTOBER 22, 2019 CAME ON TO BE CONSIDERED confirmation of the proposed plan in the above captioned case. The case was filed on June 21, 2019 and the proposed plan was filed on July 3, 2019. At the Confirmation Hearing held on October 22, 2019, the following condition was agreed to:

The Debtor was to provide proof of plan payments through October 2019 by November 1, 2019. As of November 4, 2019 debtor is \$2,745.00 in arrears through October 2019.

IT IS THEREFORE ORDERED, that the confirmation of the debtor's proposed Chapter 13 plan is **DENIED** and the case is **DISMISSED**; and

IT IS FURTHER ORDERED Debtor's Counsel shall have 7 days from the entry of this Order to file an Application for Attorney Fees (which shall include an itemized statement) pursuant to 11 U.S.C. §330(a)(4)(B). Upon entry of the order allowing attorney fees such fees are an administrative claim pursuant to 11 U.S.C. §503(b) and may be paid by the Trustee, to the extent funds are available, pursuant to 11 U.S.C. §1326(a)(2). Further, the Court finds that the Trustee's services are not terminated upon dismissal and that the Court retains jurisdiction. Further, the Court finds that cause exists pursuant to 11 U.S.C. §349(b)(3) that the funds on hand shall vest with Debtor's Counsel not to exceed the amount of the attorney fees awarded.

IT IS FURTHER ORDERED that the Trustee be discharged and relieved of her trust and of her sureties after payment of any attorney fees awarded as set forth in the paragraph above. The remaining balances of all debts due and owing creditors as of the date of this dismissal are not discharged or affected in any manner by this Order.

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ORDER PREPARED AND SUBMITTED BY:
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CHAPTER 13 TRUSTEE
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